



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

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PAUL R. LEPAGE
GOVERNOR

Susan M. Lessard, Chair

Cynthia S. Bertood
Executive Analyst

Terry Dawson
Office Specialist II

March 8, 2012

Joseph and Michele Greenier
104 Muskrat Rd
Stockton Springs, ME 04981

RE: Appeal of DEP Special Waste Landfill Permit #S-007713-WD-BB-A
Issued to Verso Bucksport LLC

Dear Mr. and Ms. Greenier:

On February 22, 2012 the Board of Environmental Protection received a timely request from you to appeal the Commissioner's approval with conditions of an expansion of Verso's special waste landfill located in Bucksport.

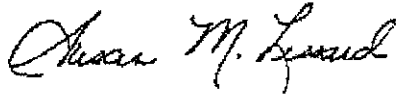
The requirements for filing an appeal of the Commissioner's licensing decision are set forth in the Department's Chapter 2 Rules Concerning the Processing of Applications and Other Administrative Matters. Among these is a requirement that the notice of appeal must include "...evidence demonstrating an appellant's standing as an aggrieved person." An "aggrieved person" is defined in rule as "any person whom the Board determines may suffer particularized injury as a result of a licensing or other decision." Further, "if the Chair decides an appellant is not an aggrieved person, the Chair may dismiss the appeal." The rules provide that the Chair's decision regarding standing may be appealed to the full Board.

I have reviewed your appeal documents. While your appeal filing sets forth your concerns about past practice at the landfill and states your objections to the Commissioner's licensing decision, it does not contain evidence that would establish a potential injury particular to you. You do not reside in the vicinity of the project, and your general concerns about impacts to citizens of Maine as a whole from air and water pollution does not establish a right for you as individuals to appeal this particular licensing decision. Since the appeal filing lacks evidence regarding a potential injury particular to you from this project, I find that it does not meet a basic requirement. Therefore, I am dismissing your appeal request.

My decision to dismiss your appeal request in this matter for lack of standing as an aggrieved person is subject to appeal to the full Board. If you choose to file an appeal of my decision to dismiss your appeal request, you must do so by Wednesday, March 21, 2012.

If you have any questions about this decision, you may contact Cynthia Bertocci, the Board's Executive Analyst, at 287-2452 or Nancy Macirowski, Assistant Attorney General, at 626-8868.

Sincerely,

A handwritten signature in cursive script, reading "Susan M. Lessard".

Susan M. Lessard, Chair
Board of Environmental Protection

cc: Service List